

Message Text

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ACTION ARA-14

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FM AMEMBASSY ASUNCION
TO SECSTATE WASHDC PRIORITY 2842

C O N F I D E N T I A L ASUNCION 1609

E.O. 11652: GDS
TAGS: SNAR, PDIP, DEA, PA
SUBJ: GOP PROTESTS TREATMENT OF MIGUEL ANGEL NAPOUT BY U.S. CUSTOMS

REF: STATE 98163

1. EMBASSY QUESTIONS APOLOGETIC TONE OF THE PROPOSED NOTE TO AMBASSADOR LOPEZ ESCOBAR ABOUT NAPOUT, IN VIEW OF NAPOUT'S WELL-ESTABLISHED REPUTATION AS AN INTERNATIONAL SMUGGLER (EVEN IF NOT OF DRUGS), AND OUR ASSUMPTION THAT CUSTOMS HAS THE RIGHT WHEN IN DOUBT TO SEARCH ANYONE SEEKING ENTRY TO THE U.S.
2. ALSO, WE DO NOT SEE THE NEED TO BURDEN LOPEZ WITH THE DETAILS OF CUSTOMS OR DEA PROCEDURES IN MAINTAINING LOOKOUT LISTS, SO UNLESS LOPEZ HAS ALREADY BEEN GIVEN THE INFORMATION CONTAINED IN PARAGRAPH 3-C, WE RECOMMEND IT BE DELETED FROM ANY REPLY. AT THE SAME TIME HOWEVER, DEA HERE WOULD LIKE TO ESTABLISH A COOPERATIVE WORKING RELATIONSHIP WITH NAPOUT IN THE FUTURE, SO SOME EFFORT TO SOFTEN THE EFFECT OF HIS TREATMENT AT THE HANDS OF CUSTOMS ON MARCH 31 MIGHT BE HELPFUL.
3. ADDITIONALLY, IT OCCURS TO US THAT A REPLY TO LOPEZ MIGHT USEFULLY ACHIEVE ANOTHER PURPOSE - DISSEMINATION OF THE INFORMATION THAT NAPOUT WAS A VICTIM OF A CAMPAIGN TO DESTROY HIM MASTER-MINDED BY ENIO VARELA, A FUGITIVE FROM U.S. JUSTICE. DEA HAS INDICATIONS THAT INTERIOR MINISTER MONTANARO, WHO WAS OFFICIALLY

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INFORMED OF THE PEREIRA-VARELA PLOT LAST JANUARY, HAS NOT PASSED THIS INFORMATION ON TO ANYONE ELSE IN THE GOP. (THE POSSIBILITY EXISTS MONTANARO MAY SOMEHOW HIMSELF BE IN LEAGUE WITH VARELA, NOT NECESSARILY IN CONNECTION WITH DRUG SMUGGLING BUT AS PART OF AN INTERNAL POWER STRUGGLE PITTING MONTANARO AGAINST THE PRESIDENT'S PRIVATE SECRETARY ABDO BENITEZ, WHO LIKE NAPOUT IS A MEMBER OF THE LOCAL LEBANESE COMMUNITY.)

4. ACCORDINGLY, WE SUGGEST A NOTE ALONG THE FOLLOWING LINES BE SENT LOPEZ ESCOBAR, AND IF THE DEPARTMENT APPROVES, WE WOULD PROVIDE COPIES OF THE EXCHANGE WITH LOPEZ ESCOBAR TO THE FOREIGN AND INTERIOR MINISTRIES HERE. TEXT OF PROPOSED NOTE:

"EXCELLENCY:

"I HAVE THE HONOR TO ACKNOWLEDGE THE RECEIPT OF YOUR NOTE OF APRIL 3, 1978 PROTESTING A SEARCH BY UNITED STATES CUSTOMS OF MR. MIGUEL ANGEL NAPOUT, A PRIVATE PARAGUAYAN CITIZEN, ON MARCH 31, 1978 AT DULLES INTERNATIONAL AIRPORT. AS YOU KNOW, UNITED STATES CUSTOMS HAS THE RESPONSIBILITY TO CARRY OUT ITS STATUTORY FUNCTIONS, INCLUDING REVIEW AND SEARCH OF ARRIVALS IN THE UNITED STATES WHEN IT CONSIDERS THIS NECESSARY. THE MANNER IN WHICH A SEARCH IS CONDUCTED, IF THE RESPONSIBLE CUSTOMS AGENT DETERMINES IT IS WARRANTED, IS ESTABLISHED BY REGULATION. AN INVESTIGATION OF THE MATTER TO WHICH YOUR NOTE REFERRED INDICATED THAT THE SEARCH OF MR. NAPOUT WAS CARRIED OUT IN ACCORDANCE WITH STANDARD PROCEDURES IN CASES CONCERNING INDIVIDUALS ABOUT WHOM INFORMATION HAS BEEN RECEIVED THAT THEY MAY HAVE ENGAGED IN INTERNATIONAL SMUGGLING ACTIVITIES. THESE ACTIVITIES, IN THE CASE OF MR. NAPOUT, HAVE NOT INVOLVED NARCOTICS, AS WAS CONCLUSIVELY ESTABLISHED LAST YEAR WHEN MR. NAPOUT VOLUNTARILY SUBMITTED TO A POLY-GRAPH TEST WHICH DEMONSTRATED HIS INNOCENCE OF SUCH CHARGES. CONFIDENTIAL

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"THANKS TO MR. NAPOUT'S COOPERATION AT THAT TIME, AN INVESTIGATION WAS CONDUCTED WHICH SUBSEQUENTLY REVEALED THAT INTER ALIA A PARAGUAYAN CITIZEN, MR. ANGEL DAVID PEREIRA, HAD FALSELY IDENTIFIED MR. NAPOUT AS A DRUG TRAFFICKER. MR. PEREIRA INFORMED AGENTS OF THE DRUG ENFORCEMENT ADMINISTRATION THAT ANOTHER PARAGUAYAN, MR. ENIO ANIBAL VARELA SEGOVIA, HAD DIRECTED THIS CONSPIRACY TO HARM MR. NAPOUT AND TAKE OVER HIS BUSINESS ENTERPRISES.

"MR. VARELA HAD BEEN ARRESTED IN NEW YORK, N.Y., ON OCTOBER 27, 1970 AND CHARGED WITH SMUGGLING APPROXIMATELY 93 POUNDS OF HEROIN INTO THE UNITED STATES. AT THE TIME OF HIS ARREST MR. VARELA WAS A BUSINESS ASSOCIATE OF MR. NAPOUT. ON JANUARY 24, 1971 WHILE AWAITING TRIAL, MR. VARELA ESCAPED FROM A NEW YORK CITY JAIL AND FLED TO PARAGUAY. A WARRANT FOR HIS ARREST IS STILL OUTSTANDING IN NEW YORK, N.Y.

"ON JANUARY 20, 1978, OFFICIALS OF THE DRUG ENFORCEMENT ADMINISTRATION ATTACHED TO THE AMERICAN EMBASSY AT ASUNCION INFORMED THE MINISTER OF THE INTERIOR, HIS EXCELLENCY DR. SABINO A. MONTANARO, THAT MR. PEREIRA HAD ADMITTED TO FALSELY ACCUSING MR. NAPOUT, AND NAMED MR. ENIO VARELA AS THE INSTIGATOR OF THIS PLOT. THE MINISTER STATED HE WOULD ADVISE MR. NAPOUT OF THE FOREGOING AND THAT HE WOULD TAKE APPROPRIATE

ACTION AGAINST MR. VARELA AND OTHERS IMPLICATED IN THE HOAX.

"WHILE UNABLE TO ACCEPT ANY SUGGESTION THAT THE BUREAU OF CUSTOMS ACTED IMPROPERLY WITH REGARD TO A SEARCH OF MR. NAPOUT ON HIS ARRIVAL AT DULLES INTERNATIONAL AIRPORT ON MARCH 31, 1978, AND WHILE TAKING NOTE OF THE FACT THAT MR. NAPOUT IS NOT AN OFFICIAL OF THE PARAGUAYAN GOVERNMENT AND THEREFORE WOULD NOT NORMALLY BE ENTITLED AS A MATTER OF RECIPROCAL COURTESY TO SPECIAL TREATMENT, THE DEPARTMENT DOES WISH TO EXPRESS ITS REGRET OVER THE INCONVENIENCE CAUSED TO YOUR EXCELLENCY BY THE BRIEF DELAY OCCASIONED BY THE SEARCH OF MR. NAPOUT, AND TO EXPRESS THE HOPE THAT IN FUTURE CASES INVOLVING VISITORS IN WHOM YOU MAY HAVE A SPECIAL INTEREST, ARRANGEMENTS MAY BE MADE IN ADVANCE TO MINIMIZE ANY DELAYS IN PROCESSING SUCH VISITORS THROUGH
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CUSTOMS AT THE PORT OF ENTRY."

"(USUAL COMPLIMENTARY CLOSING)".

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